



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

March 24, 2005

CALL TO ORDER:

Chair Jonathan Maguire called the meeting to order at 9:01 a.m.

ROLL CALL:

Present:

Vice-Chair John Jostes

Commissioners, Charmaine Jacobs, Bill Mahan, George C. Myers and Harwood A. White, Jr.

Chair Jonathan Maguire

Absent:

Commissioner Stella Larson

STAFF PRESENT:

Bettie Hennon, City Planner

Irma Unzueta, Project Planner

Rebecca Bjork, Wastewater System Manager

Rob Dayton, Supervising Transportation Planner

Susan McLaughlin, Assistant Transportation Planner

Barbara Shelton, Environmental Analyst

Debbie Hughey, Senior Engineering Technician

John Ewasiuk, Principal Engineer

Paul Casey, Community Development Director

Stephen P. Wiley, City Attorney

Liz N. Ruiz, Planning Commission Secretary

II. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Bettie Weiss, City Planner, announced there were none.

B. Announcements and appeals.

Ms. Weiss announced the pending Council appeal for the El Encanto Hotel.

C. Comments from members of the public pertaining to items not on this agenda.

The public comment was opened at 9:02 a.m., and with no one wishing to speak it was closed.

III. PUBLIC HEARING:

ACTUAL TIME: 9:02 A.M.

APPLICATION OF SUZANNE ELLEDGE, AGENT FOR SANTA BARBARA COTTAGE HOSPITAL (SBCH), 320 WEST PUEBLO STREET, APNS: 025-102-001; 025-101-001, -005, -022, -024, -025, -026, -027; 025-061-015; 025-171-004, -006, -009, -011, -032, -039, -041; C-O MEDICAL OFFICE ZONE, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL/MEDICAL CENTER (MST2003-00152)

The SBCH project is intended to comply with State Senate Bill 1953, which requires the seismic retrofit and/or upgrading of all acute care facilities in the state. The project involves the demolition of approximately 283,263 sq. ft. of existing hospital structures, including 233,170 sq. ft. of the existing main hospital building and Eye Center and 37,535 sq. ft. of structures located on the adjacent block bounded by Oak Park Lane, and Junipero, Castillo and Pueblo Streets. The existing South Wing, East Wing, Centennial Wing, and Buildings G and K, totaling 240,100 sq. ft. would remain as part of the hospital complex. Approximately, 472,450 sq. ft. of new hospital structures would be constructed resulting in a 712,550 sq. ft. hospital facility. The project includes a helipad on the roof of the proposed Diagnostic and Treatment Building. The number of licensed beds would be reduced from 456 to 337.

To allow the new hospital construction, the project proposes the permanent closure of the 2300 Block of Castillo Street between Pueblo and Junipero Streets. Parking for the project includes the construction of two new multi-level parking structures and surface parking lots for a total of 1,372 parking spaces. The proposed Knapp parking structure would be located behind the Knapp Building at 2400 Bath Street and would contain approximately 556 parking spaces. The proposed Pueblo parking structure would contain approximately 635 parking spaces and would be located at the northeast corner of Pueblo and Castillo Streets. A childcare center (11,813 sq. ft.) consisting of three single story structures would be located adjacent to the Pueblo parking structure. Construction of the project is expected to take approximately nine years through the year 2013, during which the hospital would remain fully operational.

Primary landscape features for the project include a landscaped garden area at the corner of Pueblo Street and Oak Park Lane, five patient pavilion courtyards, central and western courtyards, and main entry landscaping. Preliminary earthwork quantities for the project include 143,600 cubic yards of cut and 60,500 cubic yards of fill.

The project proposes the establishment of a new Hospital Area Specific Plan (SP-8), intended to provide a hospital-oriented zone and specifies allowable land uses and development standards for three separate areas within the project site. The proposed zone would facilitate the

reconstruction of the existing facilities as well future development within the SP-8 zone. A Development Agreement is also proposed to facilitate the nine year construction period and ensure that the project is carried out in a timely manner.

Actions by the Planning Commission

1. A Final Environmental Impact Report (Santa Barbara Cottage Hospital Seismic Compliance and Modernization Plan EIR) has been prepared. Prior to an action on the project, the Planning Commission must make findings pursuant to the California Environmental Quality Act Guidelines Section 15091 and certify the Final EIR.
2. Approval of a Development Plan to allow the addition of new square footage to the facility (SBMC § 28.87.300); and
3. Approval of a Vesting Tentative Map for the project.

Actions Requiring a Recommendation to the City Council by the Planning Commission:

1. Adoption of Specific Plan (SP-8) to establish new Hospital Area Zone, which will specify allowable land uses and development standards for the hospital facility and areas within the Specific Plan;
2. Approval of a Development Agreement to allow completion of the proposed construction phases, which are expected to exceed the four-year life of a Development Plan Approval and ensure timely completion of project;
3. Approval of a Final Community Priority and Economic Development Designation;
4. Approval of a Final Economic Development Allocation of 182,541 square feet; and
5. Approval of the Abandonment of the 2300 Block of Castillo Street

The Planning Commission actions listed above are contingent upon approval of the City Council actions.

Irma Unzueta, Project Planner, gave a brief overview of the project.

Commissioner Jacobs arrived at 9:07 a.m.

The public comment was opened at 9:07 a.m., and the following people spoke in favor of the project:

Robert Esperti
Gretchen Horn
Bob Chapman
Joachim W. Fischer
Robert Uphoff
Rosemary Caba

The following people spoke in opposition of the project:

Ms. Weiss read and entered into the record a letter outlining concerns on the project from James Schwan Sr.

With no one else wishing to speak, the public comment was closed at 9:17 a.m.

Wastewater & Sewage -

Rebecca Bjork, Wastewater System Manager, addressed the PC regarding wastewater, including describing the City's wastewater treatment process.

Dr. Charles P. Gerba, Consultant for the City of Santa Barbara, spoke before the PC regarding potential hazards of pathogens and antibiotic resistance, bacteria and sewage.

Commissioners' comments and questions:

1. Stated satisfaction that the sewage issue has been adequately addressed.
2. Asked what we will do down the road regarding wastewater and sewage.
3. Asked if a new pathogen emerges what would be done to catch it.

Per the request from a member of the public, and the consensus of the PC, Chair Maguire reopened the public hearing at 9:32 a.m.

The following person addressed the PC in support of the project:

Arturo Sanchez, representing the Rehabilitation Institute expressed support for the proposed project, including the extended construction hours.

The following person addressed the PC in opposition of the project:

Dr. Ed McGowan addressed the PC with his concerns regarding the Final EIR's analyses on wastewater effluent and the appropriate procedure under CEQA when there is disagreement between experts and submitted written testimony.

With no one else wishing to speak, the public comment was closed at 9:36 a.m.

Barbara Shelton, Environmental Analyst, briefly stated that it is expected that any disagreements between experts be included as part of the EIR which has been done.

Environmental Design –

Ms. Weiss summarized the recommended changes to the conditions of approval, and highlighted a few areas that are up for discussion.

Ron Werft, CEO, Cottage Hospital, informed the PC that Mr. Holtz representing the Achitectural Energy Corporation (AEC) is available to answer questions, and stated that SBCH is satisfied with the conditions as they are written.

Commissioners' comments and questions:

1. Thought that the inclusion of a "green area" behind the Knapp Building could be considered a green design feature.
2. Expressed satisfaction with the project design progress and evolution and felt it is where we ought to be, however, parking is an issue.
3. Stated support of the Conditions of Approval
4. Commented that surface parking lot is an issue.

Transportation/Parking –

Rob Dayton, Supervising Transportation Planner, outlined the Project Study Report (PSR) and addressed issues that were identified at the Tuesday, March 22, 2005 Joint City Council and Planning Commission meeting, in regards to the parking structures, as well.

Mr. Werft commented on safety and security.

Commissioners' comments and questions:

1. Asked for the number of spaces in the Knapp Building and proposed parking structure.
2. Asked when street parking permits will be implemented.
3. Asked whether or not there are handicapped stalls in the Knapp parking structure as all he could see were handicapped stalls on the surface lot.
4. Suggested keeping the handicapped stalls located on the Knapp Building surface parking lot.
5. Questioned if there was additional parking on Las Positas and the St. Francis project.
6. Asked if Las Positas can be changed to a two-way street.
7. Asked if there could be a stop sign at the end of the ramp for the proposed parking structure.
8. Asked for clarification, in that Calle Real is not wide enough for two-way traffic.
9. Asked that the outpatient drop-off be described.
10. Asked if parking would be time restricted.
11. Would like to see a number of concrete structures return to green.
12. Asked if the parking analysis would be affected if the child care facility for example, restricted parking in front to picking up and dropping off.
13. Asked if we are adding or deleting parking structures for this project.

14. Asked if it is a goal to try and make up those parking spaces.
15. Asked if the \$75 for the cash out program being proposed, an adequate payment for the present and future.
16. Asked if staff will be involved in monitoring the program, and how stalls will be monitored for those who need to park there.
17. Feels there is a need to monitor the cash out program to make sure it holds steady and is attractive to employees
18. Asked how long it will take to prepare the PSR, and how long it will take to start on it.
19. Feels that two years to commence the PSR is too long, and would like to set a timeline.
20. Asked how many parking spaces are provided in the alley and what will happen to them.
21. Would like to see parking reserve held as green space.
22. Willing to accept compromise of surface parking lot behind the Knapp Building because of cardiovascular patient's need to park close to their doctor's office.
23. Disappointed that SBCH cannot go with the green space, and reluctantly sees the benefit of providing surface parking behind the Knapp Building.
24. Feels traffic is the most substantial issue for this project, that the segment between Mission and Las Positas is the busiest stretch of highway in the County, and this area is a liability to this community and Council should be asked to pass this along to SBCAG.
25. A concern to be included in the list of conditions is a bus pass offset.
26. Feels we are getting a tremendous hospital, and the right thing to do is eliminate surface parking, yet remain sensitive to need in supporting those parking spaces for the old and frail.
27. A need for mechanism by which amount of the cash out program can be adjusted (maybe CPI) in the future.
28. Very disappointed that there was no way to put money into physical improvements rather than PSR, and feels 101 In Motion is already doing some of the work intended by the PSR. Does not want to see duplication of effort, and focus should be on areas not being addressed by SBCAG.
29. Feels the applicant team brought up the red curbing around perimeter about a year ago and it is distressing that now it is just somebody's whim.
30. Suggested painting the curb red around the hospital, and if parking is eliminated around the hospital, that the land is reclaimed.

Mr. Dayton discussed the reasons not to share the St. Francis parking. He also addressed questions regarding the PSR and noted that he needs to get SBCAG and Caltrans on board, hire consultants, and ask the hospital to help financially. Time wise he said it would be within two years of Cottage approval plus four years from today. The free bus pass is not effective in getting people to take the bus. The public transit system needs to be made more effective.

Susan McLaughlin, Assistant Transportation Planner, addressed the PC regarding parking structures. She also commented on the cash out program, stating that she is pleased with the current rate, and is confident the \$75 will be an adequate fee payment.

Mr. Werft expressed to the PC that with all the work that has been done in the last few weeks that the Hospital is in total agreement of all the revisions that have occurred to the Conditions of

Approval. He also explained to the PC the reasons why keeping the surface parking space are so important as well as stating that he was not aware of any landscaping changes. Mr. Werft expressed to the PC that he is concerned about meeting a lease agreement to provide parking spaces, and he asked the PC for the opportunity to work out some issues regarding surface parking with City Staff. He went on to request from the PC that no inflator be put on the \$75 cash out payment.

Brian Cearnal, Architect, presented a revised compromise parking layout for the lot behind the Knapp Building, and assured the PC that sound and light would not interfere with the neighbors. He also noted that they have now doubled the open space area.

Bill Alton, Cardiologist, addressed the PC and stressed to them that the surface parking spaces in question are essential to his patients who are quite old and frail and need parking close to the facility to accommodate them.

Erich Burkhart, Lee, Burkhart & Liu, addressed the PC clarifying where the Knapp structure would be. He also stated to the PC that if they are eliminating surface parking he would like to keep the alley spaces for doctors yet keep it as green as possible.

Ms. Weiss answered the question as to whether or not to rely as heavily on the comments from the physicians that these parking spaces are for patients only because other uses are allowed and could occur in the future.

Ron Fitzgerald, stressed to the PC that all allowable spaces (about 40 – 42 spaces) at the Eye Care Center will continue to be for patient and/or physician use to his center only.

Mr. Dayton, Ms. Weiss, and Ms. McLaughlin addressed the PC regarding transit use, and in particular, the cash out program.

Mr. Fell expressed that having to report every six months is an economic burden, and asked if it could be done on a yearly basis instead.

Commissioner Jostes suggested the following straw poll be taken.

1st - On PSR, in terms of a recommendation set forth to City Council, – the City Council give the highest priority to facilitating, conducting, and implementing a Project Study Report as identified in the Final EIR because of its importance in, a) addressing regional mobility issues; b) relieving cumulative traffic congestion at key intersections within the City; c) articulating the need for Measure D reauthorization; and d) facilitating emergency access to the Cottage Hospital area, and that the PSR should include a focus on identifying early implementation projects capable of providing near term congestion relief without comprising long term mobility and access issues being addressed in other on going efforts. Accordingly, the City should accelerate discussions with SBCAG and Caltrans to fund and implement this approach in the upcoming fiscal year.

Ms. Weiss asked to make one minor adjustment: would not like to reference “as identified in the Final EIR”, as the PSR the applicant is participating in has been further refined in a Condition of Approval”.

2nd – Regarding the surface parking area behind the Knapp Building, that the Commission accept the suggested design revision to the Knapp Building surface parking area subject to assigning spaces for patient use and the provision of an additional open landscape area, relating to Mr. Cearnal’s suggested design.

The Commission voted 6/0/1 to support the straw polls.

Commissioners comments:

1. Expressed strongly that the surface parking spaces behind the Knapp Building should be eliminated or reduced to the maximum extent possible.
2. Asked if one can back out of the alley.
3. Asked about the possibility of parallel parking.
4. Asked to consider the idea that alley parking be eliminated and return all of that space to open space.
5. Felt that it was previously discussed that the Knapp parking was to be the flexible parking structure.
6. Supports Ms. Weiss’ direction in regard to enhancing the pedestrian experience and vehicle emphasis, however, including ABR too.

Mr. Biscaro, VP Cottage Hospital, addressed the PC explaining to them that they are obligated to providing parking spaces under lease agreements. Eight spaces are needed for the Eye Center and thirty for those on the second floor. He offered a compromise to the PC to consider moving the twelve on the alley down to eight and add landscaping. They can then represent to their physicians and ophthalmologists and their patients they will focus their patient parking in the interior and for the physicians the exterior. This is the minimum they would need to fulfill their obligations.

Chair Maguire proposed a straw vote to eliminate some surface parking:

3rd – To eliminate the parking along the alley way and giving some discretion to staff in terms of the final design of the parking configuration and while returning green space to that area would be a judgment call on staff’s part. Understanding the direction here is to gain as much, if not all that space as possible.

With the exception of Commissioner Myers, all in support, with a majority of 5/1/1.

Erin Palmas, McCarthy Construction, addressed the PC in regards to construction hours on Saturdays.

Chair Maguire recessed for lunch at 12:58 p.m., and reconvened at 2:35 p.m.

Construction Hours -

Ms. Weiss asked the PC to open their notebooks to the conditions of approval which were addressed at Tuesday's meeting.

Ms. Unzueta gave a brief overview concerning the construction hours.

Mr. Werft addressed the PC outlining the various phases of construction to take place beginning in May, 2005.

Mr. Harry Fowler spoke in regards to storm drains and where they will begin and end. He also addressed the time frames of construction and the routes that vehicles will use to come and go.

Commissioners' comments and questions:

1. Asked Mr. Palmas where he was from, last project he worked on, and what the square footage of the project, and how long it lasted.
2. Clarified Saturday work on parking structures as opposed to the central campus of the buildings.
3. Asked how many blocks the proposed storm drain would occupy and if they will be using 10 x 10 ft. pipes, and how long it is going to take to complete the 50-foot link.
4. Asked if the demolition of Pueblo Street/Oak Park block will be included in Saturday hour as well.
5. Asked for clarification, in regards to Senate Bill 1953 and 2013 time frame, on stand alone or separated buildings, will they be completed in 2012.
6. Asked if there are big boulders that need to be split up causing it to be very noisy work.
7. Expressed support of opportunities for fewer Saturday's by trading off more time during the week due to daylight savings to eliminate Saturday work, was this discussed.
8. Asked to clarify satisfying the schedule from a construction time constraint vs the financial constraint.
9. Stated that by having the Community Development Director report back to the PC by annual report they can allow some flexibility.
10. Expressed support of construction hours as written in conditions of approval.
11. Asked how the neighbors will be notified, and when decided would like to see signage at the site.
12. Feels the 2013 OSHPD deadline date not critical but the inflation factor cost is, and since the whole community is paying for this, it is a critical issue.
13. One Commissioner not prepared to accept a compromise in construction hours if it extends construction scheduled and results in more costs to the hospital.
14. Stated that since the site is surrounded by medical offices which are closed on Saturday; the hospital will be most affected with noise.
15. Asked when Phase 6 is constructed what is the significant impact to the neighborhood.
16. Commented on finding way to give SBCH more flexibility.

17. Would like fellow Commissioners to consider longer hours during summertime, and would like to have internal feedback on longer summertime hours to “test drive” daylight savings time, as well as identify areas of concern.
18. Stated the significance of this project is to public welfare and is concerned about traffic generated, especially by big trucks, etc.
19. Stated support for these conditions but is shocked with the inconsistencies regarding construction times, because this project sits in neighboring areas, and is not consistent with fellow Commissioner’ actions over previous items.
20. Would like phone number for people to call, feels annual meeting for neighbors is to infrequent, and would like to see regular meeting with neighbors for feedback.
21. Asked if there are any noticing requirements, in the event that neighbor utility services will be disrupted.

Ms. Weiss stated that there is an unavoidable impact in regards to type, length, and noise that does result, finding it as being significant. The justification for overriding that impact as explained in Construction Hours, Conditions of Approval, Section A1 gives compromise to end ½ hour earlier; not using certain noisy equipment on Saturday, etc. The condition was broken down into two sections giving more support to neighbors in Section A2. She also clarified that conditions are in place concerning truck routes, which streets will be used, times, etc.

Mr. Fowler addressed the PC explaining what typically happens on the construction site while receiving concrete to be poured, etc.

Commissioner Jostes suggested a straw poll be taken as follows:

1st - The PC supports the construction hours, conditions, and neighborhood outreach plan outlined in the staff report and expand compliance flexibility to allow for additional refinements that expedite project construction and do not further impact residences in the neighborhood of the project.

The Commission voted 6/0 to support the straw polls.

Development Agreement -

City Attorney Stephen Wiley addressed the Development Agreement and stated they are like a specific plan and in this case you are asking for an agreement on a large and phased project. There are mutual obligations, and you are telling the applicant, here is your approval with these conditions. There are things city needs to do; and those should be included such as under grounding conditions which are quite extensive. Rule 20 money, reclaimed water issue, is all part of the Development Agreement which the state law requires recordation.

Ms. Weiss addressed a unique element to the Measure E agreement regarding the former St. Francis hospital site.

Other Issues –

Debbie Hughey, Senior Engineering Technician, addressed the PC regarding the 17 poles Cottage will be removing.

John Ewasiuk, Principal Engineer, Principal Civil Engineer, addressed the PC regarding underground utilities.

Commissioners' comments and questions:

1. Asked how the PC should proceed because of how much detail is entailed.
2. Clarify the undergrounding of utilities, and feels aboveground utilities can be replaced with undergrounding.
3. Asked if Rule 20A money, that was borrowed in the past, can now be used, and discussed utility under grounding opportunities beyond Pueblo Street and two poles next to Cottage for Council consideration. In addition, could PC forward to Council a list of utility under grounding options that is much more expensive than they have money for, but which they might consider an appropriate investment for this community.
4. Asked whether it is appropriate to designate the area where the Child Care Center is located as Specific Plan Land Use Area D, marking that area for less intense type uses than currently proposed for Land Use Area C.
5. Questioned that someday the hospital might want housing at the hospital site area.
6. Asked if the applicant would be amendable to putting in the conditions of approval PC or land use review of changes to the area now being proposed to be occupied by the child care facility.
7. Ask that they make clear A, B & C issues in respect to parking areas and allowing housing there in the future.
8. Asked if there was a list of conditions that are especially painful to SBCH in terms of cost before they get into the conditions.
9. Asked if the hospital staff already prepares reports on transportation demand.

Mr. Fell addressed the PC regarding adding a new Specific Plan Land Use Area D, and stated that SBCH does not want to split a single parcel into a multiple zone, which would occur if land Use Area C were divided into Area's C and D.

Mr Werft stated that if the need for future expansion of the parking structure is needed he would not like eliminating the opportunity for future development. After some discussion with members of his team he stated Cottage would be amendable to returning to the PC in the event that they wanted to build or expand the parking structure. He also outlined a list of items where they were in disagreement with City staff including recycled products which has now been changed and they are satisfied. Further, they were in disagreement regarding water recycling, pedestrian traffic improvements, investments they are willing to pay, and finally they are comfortable with the cash out program.

Ms. Weiss addressed Land Use Areas A, B, & C (housing on B & C) and asked the City Attorney for confirmation that such approach is appropriate.

Commissioner White suggested the following straw poll:

Staff to provide Council with an inventory of opportunities to underground utilities in the Cottage neighborhood, which may warrant consideration as partial mitigation for the project's adverse impacts.

The Commission voted 6/0 in support of the straw poll.

Mr. Fell asked for clarification. Is the PC imposing or proposing as an imposition on the project or on the City? It was clarified that it is not a condition, but asking the City Council to look at the opportunities they might be able to take advantage of.

Condition Review -

Ms. Weiss handed out a diagram showing how to implement one of the conditions of approval plus several pages outlining several minor edits to the conditions of approval.

Commissioners' comments and questions:

10. Asked for an understanding to the intent of suggested change to the Moreton Bay Fig Tree Condition, and suggests leaving the Conditions the way they are pertaining to the tree as there is a value to the tree and Cottage should not think of having to replace it as a fine. Also, does this address the same concern that has been articulated by staff in terms of providing sufficient replacement mitigation of biomass if tree would be lost, and what would replacement of the tree entail.
11. Asked if an exhibit showing distance of crack survey would be part of conditions, and if pile driving is the only type of construction that causes damage to nearby structures, and how a resident would seek remedy if damage is done.
12. Asked if there was a condition regarding the Knapp Building being declared an historical landmark.
13. Would like to see a 24-foot gain of landscaped area behind the Knapp Building for a total of approximately 52 feet, and this will go back to ABR.
14. Noted that there will be no expansion of parking south of the existing Pueblo Street parking garage without PC review and approval.

Ms. Weiss addressed the Commissioners' questions regarding the undergrounding of utilities.

Mr. Fell addressed the PC and stated he and Cottage Hospital know the importance of the Morton Bay Fig Tree, however, they feel if something does happen to the tree, they will replace it, but should not be fined if they should lose it.

Conditions of Approval -

Ms. Weiss reviewed with the Planning Commission the handout outlining minor edits to the project conditions of approval.

Mr. Fell, Attorney for SBCH expressed that having to report every six months regarding the parking cash out program is an economic burden and asked if it could be done on a yearly basis instead.

With respect to Condition I.L and I.M related to the Moreton Bay Fig tree, Mr. Fell stated he and Cottage Hospital know the importance of the Moreton Bay Fig tree, however felt that if something does happen to the tree, they will replace it but should not be fined if they should lose it.

Bob Cunningham, Landscape Architect for SBCH gave an estimate of the Moreton Bay Fig tree at \$100,000 whereas a boxed tree would cost \$30,000 plus \$5,000 installation.

Ms. Weiss and Ms. Shelton addressed the Planning Commission and explained the EIR analysis and the reasoning for these conditions of approval.

Chair Maguire suggested a straw poll as follows:

Are there Commissioners' who are in favor of the Applicant's proposal?

Commissioner Myers and Commissioner White support the Applicant changing the conditions and Vice Chair Jostes, Commissioner Mahan, Commissioner Jacobs and Chair Maguire all in support of original mitigation as articulated by the report preparer, with a majority of 4/2/1.

With respect to condition III.HH related to neighborhood notification, Mr. Werft expressed to the Planning Commission that they will be reporting to the neighbors every six months.

Mr. Dave Davis, Consultant for SBCH addressed the Planning Commission and stated that it is unreasonable to think that complaints can be addressed in one day. Requested that wording be included to say every effort will be made to return call in one day.

It was the consensus of the PC to add, "every effort will be made to return call in one day." This policy will be stated on the construction sign.

The Planning Commission discussed condition VI.E., which requires an annual report to the Planning Commission regarding status of project construction. It was suggested that text be added that as part of the report process the applicant and Community Development Director review the effectiveness of the construction requirements and conditions and with the benefit of the public outreach process determine where refinements can be made to further minimize short term construction impacts to the surrounding neighborhood, and maintain or expedite the construction

schedule. Such refinements can be made by the Community Development Director and reported to the PC through the annual reporting process and change neighborhood to residential neighborhood.

Mr. Fell felt the words sounded fine, but objects to taking out the provisions for modifying the conditions of approval, would like it to say, "except as provided" since they are getting a Development Agreement. They need assurance that their Development Agreement is good.

It was the consensus of the PC to not delete that portion of the condition language, but to add the, "except as provided."

City Attorney Wiley stated that the Community Development Director, under the Planning Commission guidelines has standard conformance determination capability that will be used for this project.

Mr. Fell explained to the PC that the hospital would not ask for red curbing. He feels that direction would have to come from higher up, because it does not relate to the hospital but to the front of the building and should not be included in the conditions.

Mr. Davis addressed the Planning Commission and stated that the direction should come from City not the hospital to red curb this public street.

With respect to future red curbing around the hospital property, Paul Casey, Community Development Director, stated that it is more incumbent on the City to decide on decisions regarding City property, i.e., streets, etc.

Commissioner White suggested a straw poll be taken to include this issue as a separate recommendation to the City Council. The Commission voted 6/0/1 in favor.

Mr. Fell requested that 30 parking spaces be specified in condition I.D.2 related to the number of spaces to be provided in Knapp Building surface parking lot for the purpose of meeting their leases.

After much discussion between the Planning Commission on the Knapp Building alley parking spaces, Mr. Werft agreed to eliminate them.

Mr. Casey addressed the PC and asked that they agree to give him substantial conformance and flexibility for number of parking spaces allowable.

City Attorney Wiley stated that requiring the Pueblo parking structures to receive Planning Commission review and approval if future expansion is proposed should be put in the recorded conditions in condition I.D.2.

The following revisions to the project Conditions of Approval were made:

Condition I.D.2. Public Improvements, Parking Structures and Related Facilities. New text was added to describe the compromise plan agreed upon by the Planning Commission and SBCH related to the 30 parking spaces for the surface parking lot including no alley parking, and the additional landscaped area between the existing Knapp Building and the new parking lot. The condition was also revised to require Planning Commission review and approval if future expansion to the south of the Pueblo parking is proposed.

Condition I.H.1. Transportation Demand Management Coordinator. This condition was revised to require an annual review of the hospital's TDM program to determine its effectiveness, with specific review of the Cash-Out program. A memorandum summarizing this review shall be submitted to the Planning Commission by City Staff.

Condition I.H.2. Ride-Sharing Program. This condition was revised to identify "Traffic Solutions" as a ride-share program that hospital employees can register with.

Condition I.H.8. Guaranteed Ride Home. This condition was revised to specify that traffic solutions or similar agency be used to satisfy this condition.

Condition I.I. Helicopter Emergency Use Only. The last two sentences related to the preparation of a Helicopter Operations Plan and Annual Evaluations have been deleted. SBCH has indicated that helicopter operations shall be limited to emergency use only, therefore review of non-emergency flight activities are not necessary.

Condition II.N. Tree Replacements. This condition was revised to clarify that trees which could be disturbed by later phases of construction would not be replaced at the end of their respective construction phase.

Condition III.H. Removal of Contaminated Soil. Because evidence that contaminated soil has been removed from the site cannot be provided prior to the issuance of a building permit, this condition has been revised to require the evidence "prior to the issuance of a Certificate of Occupancy. The condition was also revised to change the word "discovered" to "disturbed".

Condition III.R.3.a Resource Reuse/Structures Other Than Main Hospital. This condition was revised to require that the applicant work toward a goal of 5% in the reuse building materials and products for structures other than the main hospital.

Condition III.R.3.b Recycled Content: 5% (post-consumer + ½ post-industrial). This condition was revised to require that the applicant apply a goal of at least 5% in using materials with recycled content.

Condition II.R.3.c. Regional Materials: 20% manufactured regionally. This condition was revised to require the applicant to set a goal to use a minimum of 20% of building materials and products that are manufactured regionally.

Condition III.U.7.a.iv-vii. Castillo Street Abandonment Mitigation Street Improvement Plans. The timing for the construction of curb extensions identified under subsections iv through vii was revised from Phase 6 to Phase 4.

Condition III.DD. Prepare a Crack Survey and Video Reconnaissance. Text was added to reflect that an exhibit has been prepared and attached to the conditions that depict the 100 foot Crack Survey and Video Reconnaissance Area.

Condition III.HH. Neighborhood Notification Prior to Construction. Text was added to reflect that an on-going communications plan could be achieved through a variety of approaches, including a web-site. The condition was revised to require that the applicant meet with the neighbors and invite the participation of the City at least once every six months.

Condition III.II. Construction Contact Sign. This condition was revised to require that a construction team member or responsible party return complaint phone calls within one business day.

Condition III.NN.1. Protected Bird Species Nesting Season. This condition was revised to clarify that “any protected bird species” nesting within or adjacent to the area of vegetation removal would be subject to this protection measure.

Condition IV.B. Child Care Facility. This condition was revised to require that the new Child Care Facility be constructed using the U.S. Green Building Council’s LEED Silver Criteria with a goal to achieve such a rating. Also new text was added to require the submittal of a self certification assessment of the child care structures as the project is completed and it use is underway.

Condition IV.D. Recycled Water Use. This condition was revised to clarify the City and applicant’s responsibility in the extension and installation of recycled water mains and connections to the Specific Plan.

Condition IV.E. Underground Utilities. The condition was revised to replace “developer” with “Hospital”, “Project Phase 8” with “Final Phase” and “undercounting” with “undergrounding”.

Condition IV.R.1.a. Water Heaters/Structures Other than Main Hospital. The topic title was revised to reflect that it applies to water heaters for structures other than the main hospital.

Condition IV.R.1.b. Window Treatments/Structures Other than Main Hospital. The topic title was revised to reflect that the condition applies to window treatments for structures other than the main hospital.

Condition V. A. Construction Hours. This condition was revised to add “rock crushing” as an activity which creates unusually greater noise levels under A.1.i.iii and A.2.j.iii.

Condition VI.D. Annual Report to Planning Commission. New text was added to require the review of construction requirements and conditions on an annual basis by the City and applicant to determine whether refinements are warranted to further minimize construction impacts while maintaining or expediting the construction schedule.

Project Approval Actions

MOTION: White/Mahan

Assigned Resolution No. 020-05

Move that the Planning Commission certify the Final EIR for the Cottage Hospital seismic and modernization plan, approve the development plan, approve the vesting tentative map, and recommend to City Council the adoption of Specific Plan SP8, approval of the development agreement as outlined, approve the final community priority and economic development designation, a final economic designation of 182,541 square feet, approve the abandonment of the 2300 block of Castillo Street, approve the conditions as amended, and making the findings of Exhibit A of the staff report as revised in the March 22 memorandum.

Commissioner Jostes asked Commissioner White, as the maker of the motion, whether he is intending to include the additional unavoidable cumulative traffic impacts on the Las Positas intersections as referenced by Mr. Dayton today so that they incorporate all of that and make the overriding considerations applying to those as well.

Ms. Shelton addressed the PC and noted that it was added in the last wording of the findings in the Class I sections and would be overridden.

The motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Larson)

MOTION: White/Mahan

That the Planning Commission send a separate communication to the City Council recommending the following:

1. That City Council give the highest priority to facilitating, conducting and implementing a Project Study Report (PSR) as identified because of its importance in a) addressing regional mobility issues; b) relieving cumulative traffic congestion at key intersections within the City; c) articulating the need for Measure D reauthorization; and d) facilitating emergency access to the Cottage Hospital facility. The PSR should include a focus on identifying early implementation of projects capable of providing near term congestion relief without compromising long-term mobility and access issues being addressed in other on-going efforts. Accordingly, the City should accelerate discussions with SBCAG and Caltrans to fund and implement this approach in the coming fiscal year.

2. That City Council receive a list of potential underground utilities in the Cottage Hospital area, to be reviewed and possibly acted on, as possible benefits to address the amount of change resulting from the project in the surrounding neighborhood.
3. That in the event SBCH approaches the City for changes to the right-of-way due to new security restrictions and requirements, such that red curbing is necessary and will result in the loss of parking or other significant changes in the right-of-way, the Public Works Director shall consider making changes in cooperation with SBCH and consistent with the intent of the Specific Plan and City's Circulation Element and including review of right-of-way improvements by the Architectural Board of Review.

The motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Larson)

Chair Maguire announced that the Certification of the EIR, Development Plan, and Tentative Map, are appealable to the City Council within the ten day calendar period. All other actions are recommendations to the City Council.

Ms. Weiss announced a Council Hearing on April 26, 2005 and it was decided that Chair Maguire and Commissioner White will attend this meeting.

Mr. Werft publicly acknowledged the work of the Cottage team and thanked and acknowledged the work of the City staff and the PC.

IV. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

None were given.

B. Review of the decisions of the Modification Hearing Officer in accordance with SBMC §28.92.026.

None were requested.

V. ADJOURNMENT

Chair Maguire adjourned the meeting at 6:16 p.m.

Submitted by,

Liz N. Ruiz, Planning Commission Secretary